## **Officer History**

Officer Name: Huynh, Philip

**Tax ID:** 963074 **Sex:** M

Shield: 21011 Race: Asian

Rank: POM Command: 068

**DOB:** Appt Date: 01/04/2017

Age: Tenure: 4

CCRB#	Report Date	Incident Date	Allegation	Disposition	NYPD Disposition	NYPD Penalty	Command
201806858	05/25/2018	09/08/2017	Abuse - Refusal to obtain medical treatment	Unsubstantiated			068
201904529	05/24/2019	05/19/2019	Force - Nonlethal restraining device	Unsubstantiated			068
	05/24/2019	05/19/2019	Force - Nonlethal restraining device	Unsubstantiated			068
	05/24/2019	05/19/2019	Force - Nonlethal restraining device	Substantiated (Charges)			068
					I		
					I		

Total Charges = 9 Total Cases = 3

CCRB CTS - Confidential Page 1 of 1

## CCRB INVESTIGATIVE RECOMMENDATION

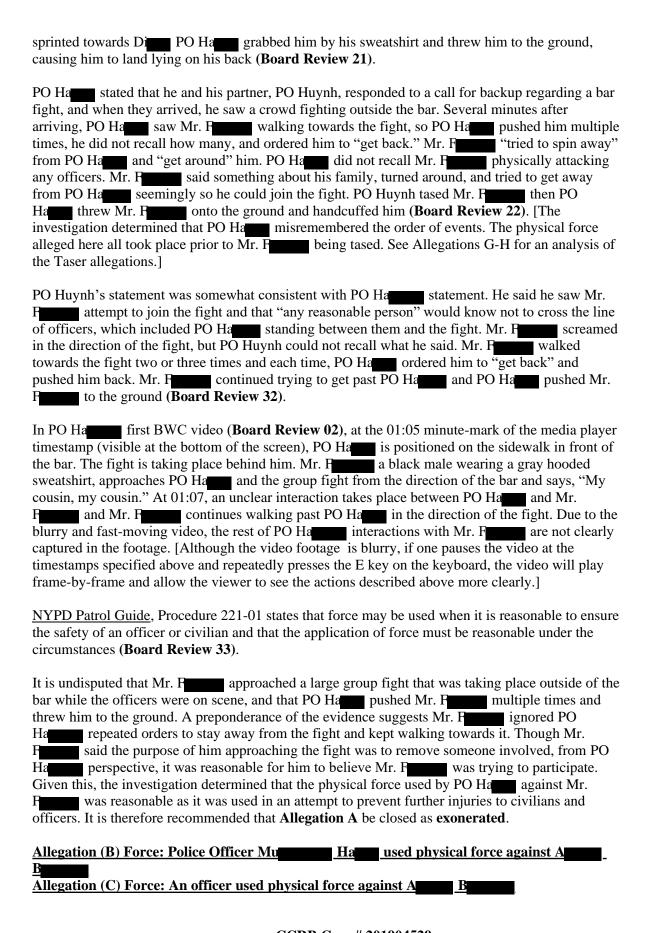
Investigator:		Team:	CCRB Case #:	<b>✓</b> Fo	rce 🔽	Discourt.	☐ U.S.
Robert Bryan		Squad #13	201904529	☐ Ab	ouse [	O.L.	✓ Injury
Incident Date(s)		Location of Incident:		Prec	inct: 1	18 Mo. SOL	EO SOL
Sun, 05/19/2019 3:45 AM		5th Avenue		6	8	11/19/2020	7/6/2021
Date/Time CV Reported		CV Reported At:	How CV Reported:	Da	te/Time Re	eceived at CCI	RB
Fri, 05/24/2019 3:23 PM		CCRB	In-person	Fri	, 05/24/201	19 3:23 PM	
Complainant/Victim	Туре	Home Addre	ess				
1. S F	Comp/Vi	ctim 5th Ave	nue Brooklyn NY 1	1209			
2. P R	Victim	85th Str	eet Brookly	n NY	11204		
3. A B	Victim	Unknown Un	known Unknown				
4. Individuals	Victim	Unknown					
Witness(es)		Home Addre	ess				
1. A G		Unknown Un	known Unknown				
2. D		Unknown Un	known Unknown				
3. S Go		Unknown Un	known Unknown				
4. Di Unknown		Unknown Un	known Unknown				
Subject Officer(s)	Shield	TaxID	Command				
1. POM Mu							
2. POM Ha							
3. POM Philip Huynh	21011	963074	068 PCT				
4. POM Jo							
5. An officer							
Witness Officer(s)	Shield N	o Tax No	Cmd Name				
1. SGT Jo							
2. POM He Sa							
3. POF No Mi							
4. POM Ju							
5. POM Eu							
6. POM Ri							
7. POM K Du							
8. POM Ro							
Officer(s)	Allegatio	n			Investi	igator Recon	nmendation
A . POM Mu	Force: Poagainst S	olice Officer Mu	Ha used physic	cal force	e A. Exe	onerated	
B . POM Mu	Force: Po	olice Officer Mu B	Ha used physic	cal force	e B. Un	founded	
C. An officer	_	n officer used physical f	orce against A		C. Un	founded	
D. POM Philip Huynh	Force: Po	olice Officer Philip Huyi	nh used a taser again	ıst	D. Ex	onerated	

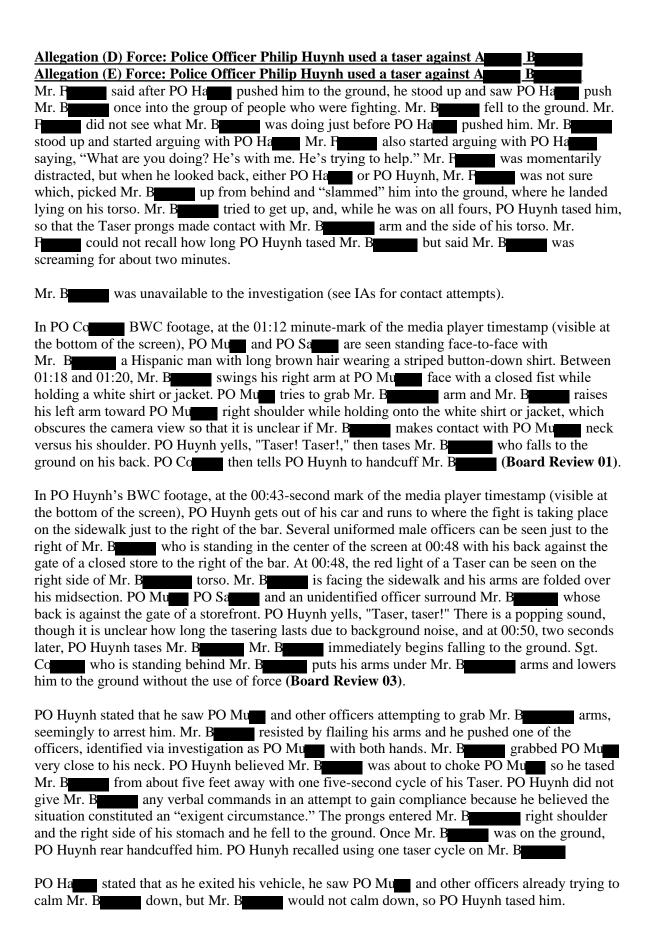
Officer(s)	Allegation	Investigator Recommendation
E . POM Philip Huynh	Force: Police Officer Philip Huynh used a taser against A	E . Unsubstantiated
F. POM Philip Huynh	Discourtesy: Police Officer Philip Huynh spoke discourteously to A	F. Exonerated
G . POM Philip Huynh	Force: Police Officer Philip Huynh used a taser against	G . Unsubstantiated
H . POM Philip Huynh	Force: Police Officer Philip Huynh used a taser against	H . Substantiated
I . POM Mu	Force: Police Officer Mu  Ha  used a taser against  S  F	I. Unfounded
J. POM Philip Huynh	Discourtesy: Police Officer Philip Huynh spoke discourteously to individuals.	J . Exonerated
K . POM Jo	Force: Police Officer Jo Po used physical force against S F	K . Unsubstantiated
L . POM Jo	Force: Police Officer Jo Po used physical force against S	L. Unsubstantiated
M . POM Ha	Force: Police Officer Hamma Mu used a taser against Part R	M . Exonerated
N . POM Ha	Force: Police Officer Hamma Mu used a taser against Park R	N . Unsubstantiated
O . POM Ha	Force: Police Officer Hamma Mu used a taser against Park R	O . Unsubstantiated

## **Case Summary**

On May 24, 2019, See Filed this complaint in-person at the CCRB on behalf of himself and his friend, A B R R was subsequently identified as another victim. At approximately 3:45 a.m. on May 19, 2019, a large group fight broke out inside Lonestar Sports Bar & Grill, located at 5th Avenue in Brooklyn. The fight soon spilled out of the bar and onto Mr. Barran and Mr. R were involved in the fight. Police Officer the sidewalk. Mr. F Ha Police Officer Ha and Police Officer Philip Huynh, all of the 68th Precinct, and several other officers arrived and attempted to break up the fight. PO Ha physical force against Mr. Parameter (Allegation A – Force – Physical force; exonerated). PO Ham and an unidentified officer used physical force against Mr. B (Allegation B – Force - Physical force; unfounded; Allegation C - Force - Physical force; unfounded). PO Huynh ■ (Allegation D – Force – Nonlethal restraining device; exonerated) (Allegation E – Force – Nonlethal restraining device; unsubstantiated). PO Huynh spoke discourteously toward Mr. Bernald (Allegation F – Discourtesy – Word; exonerated). PO Huynh tased Mr. Factor (Allegation G – Force – Nonlethal restraining device; unsubstantiated; Allegation  $\overline{H} - \overline{F}$  orce – Nonlethal restraining device; substantiated). PO Ha tased Mr. (Allegation I- – Force – Nonlethal restraining device; unfounded). PO Huynh spoke discourteously toward unidentified individuals (Allegation J – Discourtesy – Word; **exonerated**). Police Officer Journal of the 68<sup>th</sup> Precinct used physical force against Mr. (Allegations K and L – Force – Physical force; unsubstantiated). PO Muse tased Mr. three times (Allegation M – Force – Nonlethal restraining device; exonerated); Allegations N and O – Force – Nonlethal restraining device; unsubstantiated). and Mr. R were each arrested and charged with resisting arrest, obstructing governmental administration, and disorderly conduct. Mr. Butter was arrested and charged with resisting arrest, obstructing governmental administration, disorderly conduct, and possession of a controlled substance. As of November 10, 2020, the Office of Court Administration (OCA) had no record of Mr. Factor arrest (Board Review 36). Mr. Record and Mr. Beatter both pled guilty to disorderly conduct, for which they each paid \$95 fines (Board Review 37). The body-worn-cameras of the following officers captured this incident: PO Harman PO Muse PO Huynh, PO Po Police Officer Joseph Company Police Officer Burner Police Officer No Mi Police Officer June Guerra Police Officer Europe Ma Police Officer Ri Su Police Officer K Du Police Officer Rouse X and Police Officer He Sa all of the 68<sup>th</sup> Precinct. The BWC footage is attached to IAs # 56-72 (**Board Review 01-19**) and summarized in IA # 189 (Board Review 20). **Findings and Recommendations** Allegation (A) Force: Police Officer Museum Haw used physical force against S stated that he had been at the bar with friends since 9:00 p.m., during which time, he had consumed three alcoholic drinks (he could not remember what type). Mr. H acknowledged being intoxicated during this incident. A fight broke out inside the bar and as Mr. exited the bar, he swung his arms to clear a path for himself through the fight. As soon as he exited the bar, PO Hamma grabbed him on his right shoulder, pulled him towards him, and turned him around. PO Hamed ordered Mr. Flamed to calm down and stay put, but Mr. Flamed to calm down and stay put and calm down and calm approached the fight to try to pull his cousin's friend, Dim (last name unknown), out of it. PO Hammer grabbed Mr. Franker right shoulder and pulled him down to the ground, where Mr. landed in a seated position. Mr. Flands stood up, ran past PO Hammand again tried to pull Diese from the fight, which by that point had spilled onto the sidewalk. As Mr. F

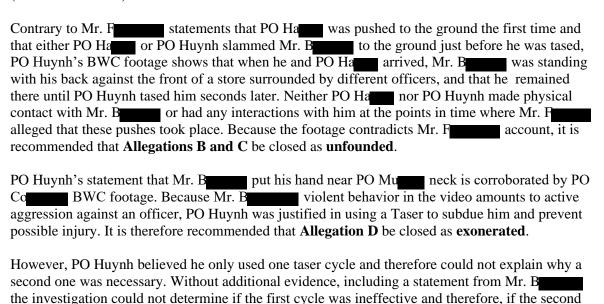
CCRB Case # 201904529





A TRI report prepared by PO Huynh and the 68<sup>th</sup> Precinct Command Log show that PO Huynh was assigned a Taser with serial number X130048H2 (**Board Review 27**). The X26 Taser Data Sheet associated with this Taser shows that one five second cycle was triggered at 4:02:03 a.m. and a four second cycle was triggered at 4:02:08 a.m. (**Board Review 34**).

NYPD Patrol Guide, Procedure 221-08 states that Tasers should only be used against persons who are actively resisting, against persons exhibiting active aggression, or to prevent individuals from physically injuring themselves or other persons present. Active aggression includes a threat or overt act of an assault through physical or verbal means, coupled with the present ability to carry out the threat or assault, which reasonably indicates that an assault or injury to any person is imminent (Board Review 28).



Allegation (G) Force: Police Officer Philip Huynh used a taser against S

Allegation (H) Force: Police Officer Philip Huynh used a taser against S

In PO Hunyh's BWC footage, at the 02:40 minute-mark of the media player timestamp (visible at the bottom of the screen), PO Huynh points his Taser in the direction of Mr. F

but a man with an illustration of a skull on the back of his shirt stands between them with his back to PO Huynh (Board Review 03). PO Huynh yells "Get the fuck back" at this man (see Allegation J). The camera pans to the right so that Mr. F

is out of view before panning back to the left and down to where Mr. B

is lying on the sidewalk. At 02:45, Mr. F

and yells, "Taser! Taser! Taser!" The sound of a Taser can be heard and the wire can be seen between PO Huynh's Taser and Mr. F

chest. Mr. F

says, "It's not doing nothing to me. I'm calm already." His hands remain visible throughout and he appears to gesture as he speaks. At 03:20, PO Huynh puts his Taser down and directs the officers nearby to handcuff Mr. While continuing to stand over Mr. B

who is lying on his stomach on the sidewalk.

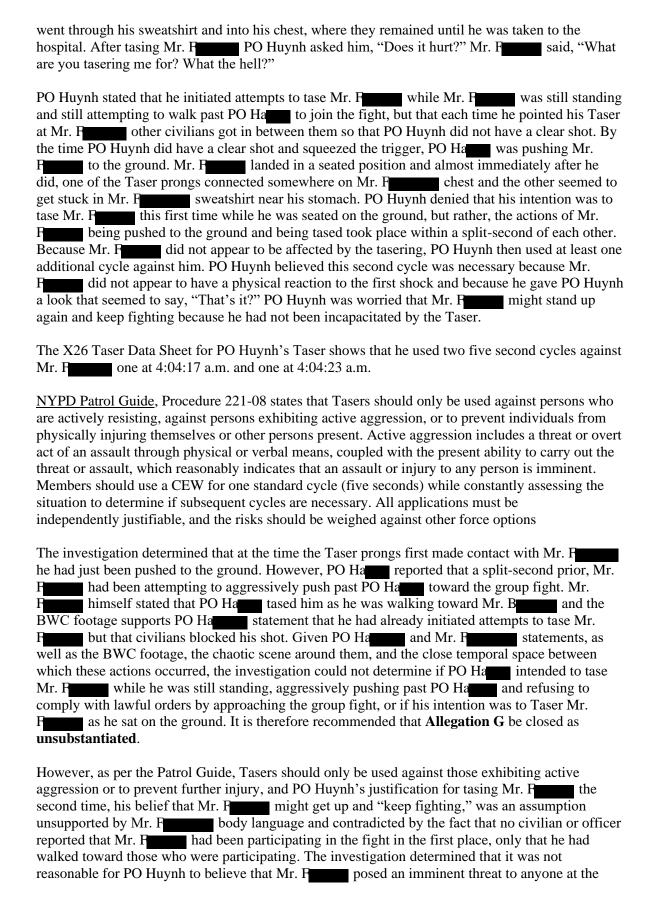
Mr. F

stated that almost immediately after PO Huynh tased Mr. B

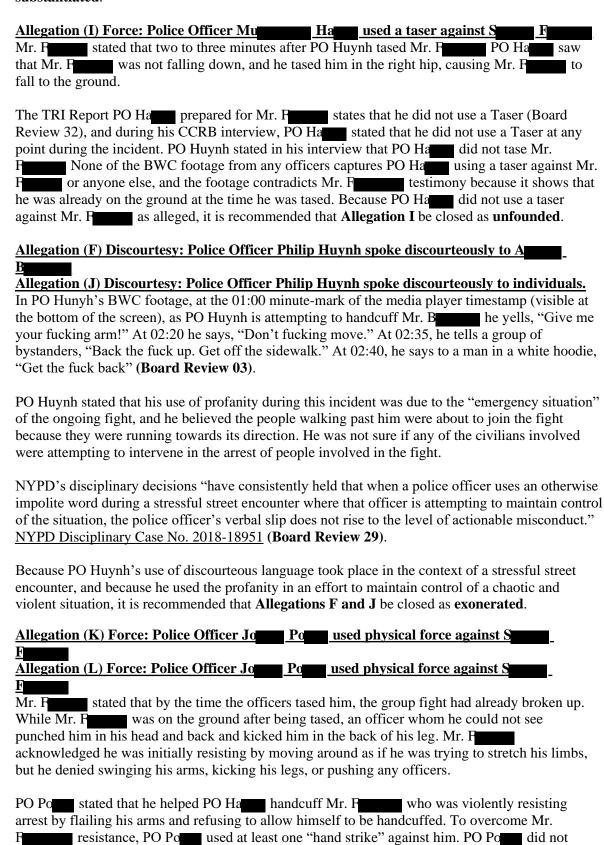
PO Huynh tased

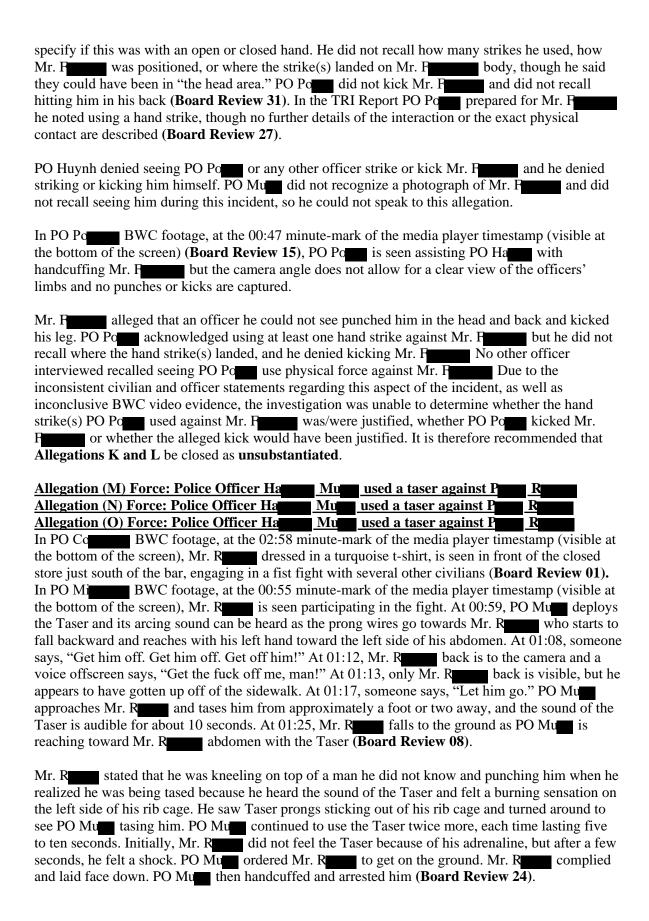
Mr. Figure in the left side of his chest while Mr. Figure was walking towards Mr. B (Board Review 21). At this point, Mr. Figure was about three to five feet from PO Hunyh and about seven feet from Mr. B who was behind PO Hammand PO Huynh. The Taser prongs

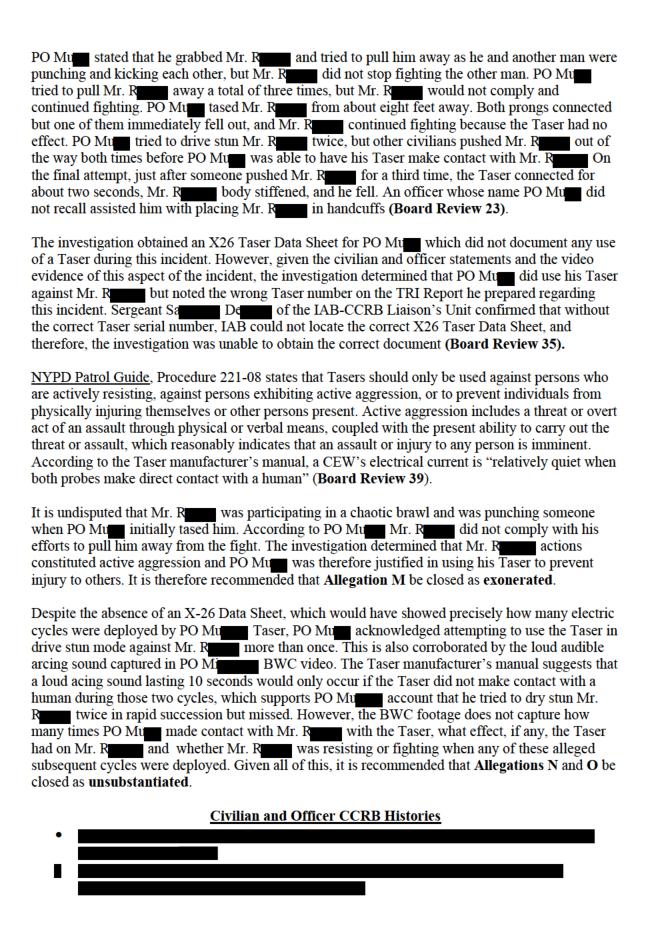
cycle was necessary. It is therefore recommended that Allegation E be closed as unsubstantiated.



time he tased him the second time. It is therefore recommended that **Allegation H** be closed as **substantiated**.







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one pri	or CCRB complaint con	of service for three years and ha apprised of one allegation, which of reflect any pattern pertinent to	was not substantiated. PO			
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		a				
	<u>Mediati</u>	on, Civil and Criminal Histori	<u>ies</u>			
	As of May 18, 2020, no Notice of Claim has been filed with the NYC Comptroller's Office regarding this incident (Board Review 30).					
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ad 13						
estigator:	Robert Bryan	Robert Bryan	12/31/20			
	Signature	Print Title & Name	Date			
ad Leader:	IM Laura Kastner	IM Laura Kastner	12/31/2020			
	Signature	Print Title & Name	Date			